

DT14 Rec'd PCT/PTO 19 OCT 2004

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NO.
4300.014500

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/512008INTERNATIONAL APPLICATION NO.
PCT/US03/12324INTERNATIONAL FILING DATE
April 21, 2003PRIORITY DATE CLAIMED
April 19, 2002

TITLE OF INVENTION

rAAV VECTOR-BASED COMPOSITIONS AND METHODS FOR THE PREVENTION AND TREATMENT OF MAMMALIAN DISEASES

APPLICANT(S) FOR DO/EO/US

MARK A. ATKINSON, SIHONG SONG and SCOTT A. LOILER

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Submission of Formal Drawings (Figures 1-19C on 15 sheets); Postcard

CERTIFICATE OF EXPRESS MAILING

NUMBER EV 405388132 US

DATE OF DEPOSIT: OCTOBER 19, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


 Signature

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

PCT/US03/12324

4300.014500

10/512008

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$1110.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$950.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 100.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months
from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	23 - 20 =	3	x \$ 18.00
Independent Claims	10 - 3 =	7	x \$ 88.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00

\$ 54.00

\$ 616.00

\$ -0-

TOTAL OF ABOVE CALCULATIONS =

\$ 900.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.

SUBTOTAL =

\$ 450.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months
from the earliest claimed priority date (37 CFR 1.492(f)).

\$ -0-

TOTAL NATIONAL FEE =

\$ 450.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$ -0-

TOTAL FEES ENCLOSED =

\$ 450.00

Amount to be
Refunded:

\$

Charged:

\$

- a. ☒ A check in the amount of \$450.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0786/4300.014500. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

CUSTOMER NUMBER: 23720

Mark D. Moore, Ph.D.
WILLIAMS, MORGAN & AMERSON
10333 Richmond, Suite 1100
Houston, TX 77042
(713) 934-4084
Date: October 19, 2004

SIGNATURE

Mark D. Moore, Ph.D.

NAME

42,903

REGISTRATION NUMBER

10/512008 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DT01 Rec'd 10/19/04 19 OCT 2004

In re Application of:

MARK A. ATKINSON
SIHONG SONG
SCOTT A. LOILER

Group Art Unit: Unknown

Examiner: Unknown

Serial No.: Unknown

Atty. Dkt. No.: 4300.014500

Filed: Concurrently Herewith

Customer No. 23720

For: rAAV VECTOR-BASED
COMPOSITIONS AND METHODS FOR
THE PREVENTION AND TREATMENT
OF MAMMALIAN DISEASES

SUBMISSION OF FORMAL DRAWINGS

ATTN: Official Draftsman
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

EXPRESS MAILING LABEL
37 C.F.R. § 1.10

I hereby certify that this paper is being deposited with the U.S. Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" (Number EV 405388132 US) service on the date indicated and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

October 19, 2004
Date


Signature

Applicants hereby submit the formal drawings for the above-referenced application (Figures 1-19C on 15 sheets) and request that these drawings be accepted for filing.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON
CUSTOMER NO. 23720

Date: October 19, 2004



Mark D. Moore, Ph.D.
Reg. No. 42,903
10333 Richmond, Suite 1100
Houston, Texas 77042
(713) 934-4084
(713) 934-7011 (facsimile)

AGENT FOR APPLICANTS